

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
24.126.58.61,

Defendant.

CASE NO. 1:14-cv-00700-GBL-JFA

**PLAINTIFF'S FIRST MOTION FOR EXTENSION OF TIME WITHIN
WHICH IT HAS TO EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC (“Plaintiff”), moves for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant’s true identity is known by their Internet service provider (“ISP”).

2. On June 16, 2014, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP, Comcast Cable Holdings, LLC, to obtain the Defendant’s identifying information [CM/ECF 7]. Plaintiff issued the subpoena on June 24, 2014, and received the ISP’s response on August 14, 2014.

3. Plaintiff has now investigated the information provided by the ISP and is in the process of amending the Complaint.

4. Pursuant to this Rule 4(m), Plaintiff is required to effectuate service on Defendant by today, October 9, 2014.

5. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended by thirty (30) days, or until November 9, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended until November 9, 2014. A proposed order is attached for the Court's convenience.

Dated: October 9, 2014

Respectfully submitted,

By: /s/ William E. Tabot
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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ William E. Tabot